

"LATTER-DAY SAINTS," ALIAS MORMONS.

THE PETITION

OF THE

LATTER-DAY SAINTS, COMMONLY KNOWN AS MORMONS,

STATING

*That they have purchased lands of the General Government, lying in the State of Missouri, from which they have been driven with force by the constituted authorities of the State, and prevented from occupying the same; and have suffered other wrongs, for which they pray Congress to provide a remedy.*

DECEMBER 21, 1840.

Referred to the Committee on the Judiciary.

*To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:*

Your memorialists, Elias Higbee and Robert B. Thompson, would most

RESPECTFULLY REPRESENT:

That they have been delegated by their brethren and fellow-citizens, "the Latter-day Saints," (commonly called Mormons,) to prepare and present to your honorable bodies a statement of their wrongs, and a prayer for their relief; which they now have the honor to submit to the consideration of the Congress of the United States.

This memorial sheweth: That, in the summer of the year 1831, a portion of the sect above named commenced a settlement in the county of Jackson, in the State of Missouri. The individuals making that settlement had emigrated from almost every State in the Union, to that lovely spot in the "Far West," in the hope of improving their condition, of building homes for themselves and their posterity, and of erecting temples where they and theirs might worship their Creator according to the dictates of their own consciences. Though they had wandered far from the homes of their childhood, still they had been taught to believe that a citizen born in any one State in this great republic might remove to another, and enjoy all the rights and immunities guarantied to the citizens of the State of his adoption; that, wherever waved the American flag, beneath its stars and stripes an American citizen might look for protection and justice, liberty in person and in conscience.

They bought farms, built houses, erected churches ; some tilled the earth, others bought and sold merchandise ; and others toiled, again, in the occupation of mechanics. They were industrious and moral ; they prospered ; and, though often persecuted and vilified for their difference in religious opinions from their fellow citizens, still they were happy. They saw their society increasing in numbers ; their farms teemed with plenty ; and they fondly looked forward to a future big with hope. That there was prejudice existing against them, they knew ; that slanders were propagated against them, they deplored : yet they felt that these things were unmerited and unjust ; that time and an upright conduct would outgrow them in this enlightened age of the world. While this summer of peace, and happiness, and hope beamed upon them, and shone over the infant settlement of the "saints," the dark cloud that bore in its bosom the thunderbolt of its destruction was gathering fast around them, pregnant with prejudice, oppression, and final expulsion or extermination. On the 20th of July, 1833, around their peaceful village a mob gathered, to the surprise and terror of the quiet and unoffending Mormons. Why, they knew not. They had broken no law ; they had harmed no man, in deed or thought. Why, then, were they thus threatened and abused ? Soon a committee from the mob called upon the leading saints of the place, and issued forth the mandate that the stores, the printing-office, and the workshops must all be closed, and that, forthwith, every Mormon must leave the county. The message was so terrible, so unexpected, the "saints" asked time for deliberation, for consultation ; which being refused, the brethren were severally asked, "*Are you willing to abandon your homes ?*" The reply was such as became freemen living in a free country, "We will not go." Which determination being made known to the committee of the mob, one of them replied, "he was sorry, as the work of destruction must now begin." No sooner said than done. The printing-office, a two-story brick building, was assailed by the mob and torn down, and, with all its valuable furniture and materials, literally destroyed. They next proceeded to the principal store, with a like purpose ; its owner in part, Mr. Gilbert, agreed to close it, and they delayed their purpose of destruction. They then proceeded to the dwelling of Mr. Partridge, the beloved bishop of the church ; they dragged him from his family to the public square, and, when surrounded by hundreds of spectators, they partially stripped him of his clothes, and, in the most unfeeling manner, covered him with tar and feathers from head to foot. Another, by the name of Allen, was treated in a similar manner, at the same time. The mob then dispersed, with an agreement to meet again on the following Tuesday ; the above outrages having been committed on Saturday. Tuesday came, and with it came the mob, bearing a red flag in token of blood. They proceeded to the houses of Isaac Morley and others of the leading men, seized them, and told them to bid their families farewell, as they would never see them again. They were then driven at the point of the bayonet to the jail, and there, amid the jeers and insults of the crowd, were thrust into prison, to be kept as hostages, and for immolation in case any of the mob should be killed while depredating upon the persons and property of the saints. At this awful and critical juncture, some two or three of the Mormons offered to surrender up themselves as victims, if that would satisfy the fury of the mob, and purchase peace and security for their unoffending brethren, their helpless wives, and innocent children. The reply of the mob was, "*The Mormons must leave the county en masse, or every man shall be put to*

*death.*" The Mormons, terrified and defenceless, were in this manner reduced to the necessity of entering into an agreement to leave the county—one half by the 1st of January, the other half by the first of April next ensuing. This treaty being made and ratified, the mob dispersed. Again, for a time, the persecuted Mormons enjoyed a respite from their relentless persecutors; but their repose was of short duration. Some time in the month of October, a meeting was held at Independence, at which it was determined to remove the Mormons or die. Inflammatory speeches of the most violent character were made to excite the populace, and one of the speakers went so far in his denunciations as to swear "that he would remove the Mormons from the county, if he had to wade to his neck in blood." Up to this time, the Mormons had faithfully observed the forced treaty stipulations on their part, and were guilty of no offence against either the laws of the land or of society, but were peaceably following the routine of their daily duties. Shortly after the meeting above referred to, another persecution commenced, with increased sufferings on the part of the devoted Mormons. Some of their people were shot at, others were whipped without mercy; their houses assailed with brickbats; the doors broken open, and thrown down; their women grossly insulted; and their weeping daughters brutally abused before their mothers' eyes. Thus were they, for many days and weeks, without offence, and without resistance, by night and by day, harassed, insulted, and oppressed. But there is a point beyond which human endurance ceases to be a virtue—where the worm, if trampled upon, will, in the agony of its distress, turn upon its oppressor.

A company of about thirty Mormons fell in with twice that number of the mob engaged in the destruction of their property, when a battle ensued, in which one Mormon was killed, and two or three of the mob. We here regret to say that, acting in concert with the officer who commanded the mob, was Lilbourn Boggs, at that time Lieutenant Governor of the State of Missouri. When the news of the battle was spread abroad, the public mind became much inflamed against our people; the militia collected in arms from various quarters, and in great numbers; and being excited to fury by the false accounts which had been circulated against us, they demanded an immediate surrender of all our arms, and gave a peremptory order that we should quit the county without further delay. Compelled by overpowering numbers, the Mormons submitted, and surrendered up fifty-one guns, which have never been returned or accounted for. The next day, parties of the mob went from house to house, threatening the women and children with death if they did not immediately leave their homes. Imagination cannot paint, nor tongue express, the terror and consternation which now pervaded the Mormon community. The weather was intensely cold; the women and children, horror-stricken and defenceless, abandoned their homes and fled for safety in every direction; very many of them without the necessary articles of clothing to protect them from the pitiless storm and piercing cold to which they were exposed. Women gave birth to infants in the woods, and on the bleak bosoms of the prairies, houseless and unsheltered, at that critical and trying time, without any of the necessities usual on such occasions, without their husbands, and without physicians or midwives, or any other assistance except as they could assist each other. One hundred and twenty women and children, for ten successive days, with only three or four men to aid them, concealed themselves in the recesses of the forest, in hourly expectation of massacre, until they found an opportunity of escaping into Clay county.

The society of Mormons, after these disturbances, removed to Clay county, where they were kindly received by their brethren and the inhabitants, who administered to their necessities in the most charitable manner. In the mean time, the houses of the Mormons in the county of Jackson, which they had abandoned, numbering about two hundred, were burnt down or otherwise demolished by the mob, who destroyed at the same time much of their crops, furniture, and stock. The damages done to the property of the Mormons by the mob, in the county of Jackson, under the circumstances above related, as near as they can ascertain, would amount to the sum of one hundred and twenty thousand dollars. The number of Mormons thus disfranchised and driven from their houses, in the county of Jackson, amounted to about twelve hundred souls. For the property thus destroyed, no remuneration has been made. After the expulsion of the Mormons from the county of Jackson, in the manner above stated, they moved to and settled in the county of Clay. They there purchased farms from some of the citizens, and entered other lands at the land office—wild lands offered for sale by the General Government. The most of them again became freeholders, owning each an eighty-acre tract or more of land. The Mormons now lived peaceably in the county of Clay for about three years, and during all that time increased gradually in number by emigration, and in wealth by their industry and diligent attention in their several occupations. After they had resided in that county for the time above mentioned, the citizens not connected with their society began to look upon them with suspicion and alarm. Reports were again circulated against them; public meetings were held in the counties of Clay and Jackson, at which violent resolutions were passed against their people, and rumors of mobs began again to spread alarm and dismay among the unoffending Mormons. At this critical juncture, the Mormons, being desirous of avoiding, if possible, further conflict with their neighbors and fellow-citizens, and anxious to preserve the peace and harmony of the society around them, as well as their own safety, deputed a committee of their leading men to propose terms of peace.

An interview took place between them and a committee of citizens not connected with their society; at which it was agreed that the Mormons should leave the county of Clay, and that the citizens of Clay county should purchase their lands. These terms were complied with, and the Mormons now removed to, and took up their abode in Caldwell county, where they once more reorganized a settlement; but not without very heavy pecuniary losses and other inconveniences, as the citizens of Clay county never paid them for their lands, with the exception of a very small part of the purchase money to some; while others have not as yet, and perhaps never will, receive a farthing.

The Mormons, by this removal, sacrificed much of money and of feeling; but the sacrifice was made upon the altar of duty, as Christians, rather than again to afford a pretext for the disturbance of the peace of the community.

Your memorialists would humbly beg leave here to give what they believe to be a just and unvarnished explanation of the causes which have led to the bitter prejudices and persecutions against their society as above related, without malice and without exaggeration, with the Christian desire of rendering fair and impartial justice to all concerned. That there have been some unworthy members among them, they will not deny; but they aver, at the same time, that, taken as a community, they have been, and are, as moral, as upright, and as observant of the laws of God and of the land, as anybody



of people in the world of the same number. Why, then, this prejudice and never-ending persecution? An answer they think will be found, that they are a body of people distinct from their fellow-citizens in religious opinions, in their habits, and in their associations; and, withal, sufficiently numerous to make their political and moral power a matter of anxiety and dread to the political and religious parties by which they were surrounded; which prejudice arose, not from what the Mormons had done, but from the fear of what they might do, if they should see proper to exercise this power.

In addition to this, the Mormons had either purchased of the settlers, the General Government, or held by pre-emption, what were regarded the best lands in that region of the country. The tide of speculation during this period of time ran high; and the cupidity of many was thus unlawfully aroused to possess themselves of these lands, and add to their wealth by driving the Mormons from the country and taking forcible possession of them; or constraining them to sell, through fear and coercion, at prices merely nominal, and of their own fixing.

After the removal of the Mormons from Clay county, they settled in the county of Caldwell. Your memorialists do not deem it necessary for their purpose to detail the history of the progress of the settlement and anxieties of the Mormons from the time they settled in Caldwell county, in the year 1836, until the fall of the year 1838. They would, however, aver that during all that time they deported themselves as good citizens, obeying the laws of the land, and performing the moral and religious duties enjoined by their faith. That there may have been some faithless ones among the faithful, is very possible; nay, they will not deny but there may have been some who were a scandal to their brethren. But what society, your memorialists would ask, has not some unworthy members in it? Where is the sect, religious, moral, or political—where the community, in which there cannot be found some of its members who trample under foot both the laws of God and of their fellow-man? They sincerely believe that the Mormon community have as few such persons as any other association, religious, moral, or political. Within the above last-mentioned period, and under all their difficulties, the Mormons continued to increase in wealth and in numbers, until in the fall of the year 1838 they numbered, as near as they can estimate, about 15,000 souls. They now held, by purchases from the Government, of the settlers, and by pre-emption, almost all the lands in the county of Caldwell, and a portion of the lands in Davis and Carroll counties. The county of Caldwell was settled almost entirely by Mormons, and Mormons were rapidly filling up the counties of Davis and Carroll. When they first commenced settling in those counties, there were but few settlements, and the lands were for the most part wild and uncultivated. In the fall of 1838 large well-improved farms had been made and stocked; lands had risen in value, and, in some instances, had been sold for from \$10 to \$25 per acre. The improvement and settlement had been such, that it was a common remark that the county of Caldwell would soon be the wealthiest in the State. Thus stood the affairs of the society in the fall of 1838, when the storm of persecution again commenced and raged over their devoted heads. The mob again commenced its devastation, and drove the Mormons forth, houseless, homeless, and penniless, upon the charities of the world; which to them, thank God, had been, in times of trial and distress, like angels' visits, but not few nor far between. This last persecution had its origin at an election which was held in the county of Davis, on the first

Monday in August, 1838. A Mormon went to the polls to vote, when one of the mob standing by opposed his voting, contending that a Mormon had no more right to vote than a negro. One angry word brought on another, until, unfortunately, blows ensued. They are happy, nevertheless, to state that the Mormon was not the aggressor; having acted, as they believe, entirely on the defensive. Others joined in the assault (not one or two, but many) against the Mormon. His brethren, seeing him thus assailed by numbers, and exposed to great bodily injury, interfered to rescue him from this perilous situation; when others of the mob joined in the affray, being determined, as they said, that the Mormons should not vote. Victory, in this instance, decided on the side of right. Rumor reached the Mormons of Caldwell county the next day, that two of their brethren had been killed in this affray, and that a refusal had been made to surrender their bodies for burial. Not knowing at the time that this rumor was without foundation, much excitement prevailed; and several of the Mormons started for Davis county with a view of finding, if possible, for their brethren, whom they supposed to have been murdered, a decent burial. They arrived next morning among the citizens, and found great excitement prevailing. They had held a public meeting, and resolved to drive all the Mormons from the county. Individuals began again to threaten the Mormons as a body, and to swear that they should all leave the county in three days. The Mormons also heard that a large mob was collecting against them, headed by Adam Black, one of the judges of the county court of Davis county. Under these circumstances, and with a view to allay this excitement, some of the brethren called on Judge Black, and inquired whether the report they had heard was true. Upon his denying the truth of it, they requested him to give that denial in writing, which he freely did; which writing they published, with a view to calm the public mind, and to allay the existing excitement. Having done this, they rested in quiet for some time, hoping these efforts would produce the desired effect. Their surprise, under these circumstances, can be easily imagined, when a short time after this they learned that this same Judge Black had gone before Judge King and made affidavit that he was forced to sign that instrument by an armed band of Mormons; and thereupon procured a warrant for the apprehension of Joseph Smith, jr., and Lyman Wight, which was placed in the hands of the sheriff to be executed. It was also reported that the accused individuals had refused to be taken, and that an armed party of citizens was collecting to come and take them by force. Your memorialists aver that the sheriff had never made any effort either to take them or serve the process; and that Smith and Wight, so far from opposing resistance, did not know that a writ had been issued against them until they learned that such was the case by the reports above related. In the mean time, the rumor had spread over the whole country that the Mormons were compelling individuals to sign certain instruments in writing, that they (the Mormons) were not resisting the process of the law. The public mind had now become much inflamed; and the mob began to collect from all quarters, and in large numbers, with the pretext of assisting the sheriff to execute the process. And let it be here observed, in passing, that Judge Adam Black had before that time sold the improvements and pre-emption claim on which he then resided to the Mormons, and had received his pay for the same; that through his instrumentality the Mormons were broken up and driven off; and that he now unlawfully retains both their money and the improvements. As

soon as the report of their intended resistance reached Smith and Wight, they determined immediately to go to the judge who issued the warrant against them, and, before the mob proceeded to extremities, submit to the law. They both surrendered themselves, accordingly, to Judge King, who had issued the process; underwent a trial; and, in the absence of any just accusation against them, were acquitted and discharged. They hoped that this voluntary submission of theirs to the law, and their successful vindication of themselves against the charges preferred against them, would allay the excitement of the community. But not so. The long-desired opportunity had arrived for consummating the extermination of the Mormons, or their expulsion from the country, by giving to their persecutions the color and form of legal proceedings; and it could not be forborne. The mob, which had assembled with the pretext of assisting the officers of the law in the execution of their duty, did not disperse on the acquittal of Smith and Wight, as was expected; but continued embodied in their encampments in the form of a military force, and committing, from time to time, one depredation after another upon the property of the Mormons. The Mormons in this extremity appealed to the laws of the land, and to the officers of the law, for protection against their infractions. After much delay, the militia under Generals Atchison, Donaphon, and Parks, were sent to their relief. They arrived on the 13th of September, and encamped between the mob and the Mormons. These officers made no attempt to disperse the mob, and excused themselves by saying "that the sympathies of their men were in their favor." After remaining in this situation for several days, these officers at length adopted the following expedient of settling the existing difficulties and restoring peace. They mustered the mob, and enrolled them with their troops, and then disbanded the whole together, with orders to return to their several homes. The officers then returned home, with the exception of General Parks, who remained for their protection with his men. The Mormons then made an agreement with the citizens of Davis county to buy out their lands and pre-emption rights, and appointed a committee to make the purchases, with instructions to buy until they purchased to the amount of \$25,000. While these purchases were making, some of the settlers were heard to say, "that, as soon as they had sold out to the Mormons and received their pay, they would drive them off and keep both land and money." The mob, when disbanded by the generals in Davis county as aforesaid, instead of repairing to their homes as commanded, proceeded in a body to the adjoining county of Carroll, and encamped around the Mormon village of Dewitt. They sent to the county of Jackson and procured a piece of cannon, and invested the village so closely that no person could leave the town in safety: when they did so, they were fired upon by the mob. The horses of the Mormons were taken; their cattle and hogs either killed, or taken and driven away; and the citizens of the village, amounting to about seventy families, reduced to the greatest extremity by sickness and a want of the necessary supplies of food to support exhausted nature.

Thus situated, they applied to Governor Boggs for protection and relief; but neither protection nor relief came. Being thus abandoned to their fate by the executive authority, no alternative was left them but to seek protection by flight, and the abandonment of their homes and houses to the ravages of a mob. Accordingly, on the evening of the 11th of October, 1838, the invested families fled from Dewitt, and made their way to the counties of

Davis and Caldwell, leaving many of their effects behind them, in the possession of the besiegers.

Your memorialists will not undertake to draw a picture of the horrors and sufferings of that flight, when shared alike by women and children, as well as men. Let a case or two suffice. One lady, who had given birth to an infant just before the flight commenced, died on the road, and was buried without a coffin; many others were sick from starvation and fatigue, and, being deprived of medical aid and sustenance, died on the road. The remnant of this little band of sufferers arrived in Davis and Caldwell counties at length, and found temporary relief from their troubles among their friends and brethren in these counties; but it was of short duration. After the abandonment of Dewitt, and the flight of the Mormons from Carroll county, one Asahel Woods addressed the mob, and advised them to take their cannon and march to the county of Davis, and drive the Mormons also from that county, and seize upon their lands and property; saying, by way of encouragement, that the Mormons could get no benefit of the laws, as they had recently seen that no attention had been paid to their application for protection. They then commenced their march from Carroll to Davis county with their cannon. On their way they seized two Mormons, made them ride on the cannon, and taunted them as they went along with their threats, "*that they were going to drive the Mormons from Davis to Caldwell, and from Caldwell to Hell; and that they should find no quarters but at the cannon's mouth.*" The mob at this time was reported to number about 400 strong. The Mormons, in their distresses, in pursuance of the laws of Missouri, made application to Judge King, the circuit judge of that circuit, for protection, and for the aid of the officers of the law to protect the magistracy in performance of their duty. Judge King, as they have been informed and believe, made a requisition on Major General Atchison to call out the militia to protect the Mormons against the mob. General Atchison thereupon issued orders to Brigadier Generals Parks and Donaphon. In pursuance of these orders, issued on the 18th of October, 1838, General Donaphon arrived at "Far West," a Mormon village in the county of Caldwell, with a small detachment of militia. After he had been at "Far West" two days only, he disbanded his troops, alleging to the Mormons, as his reason for so doing, that his men had feelings in common with the mob, and that he could not rely upon them. In a short time afterwards, General Parks arrived at "Far West," and also disbanded his detachment. During this period, the mob was slowly making its way from Carroll to Davis county. General Donaphon, while at "Far West," directed the Mormons to raise a company to protect themselves, telling them that one Cornelius Gilliam was raising a mob to destroy their town; and advised them to place outguards to watch the movements of the mob. He also directed them to raise a company of Mormons, and send them to Davis county, to aid their brethren there against the like depredations, as a mob was marching down upon them from Carroll county. This the Mormons did. They had mustered a company of about sixty men, who had proceeded to Diahman, when General Parks arrived at "Far West," as aforesaid. Having learned that General Donaphon had disbanded his men, he (General Parks) expressed great dissatisfaction that he should have done so. The evening on which General Parks disbanded his men, as before related, he proceeded to Diahman in order to learn what the mob were doing, and, if possible, to protect the Mormons. When General Parks arrived in Davis county, he



found that the mob had already commenced their work of destruction, which was on the 20th of October, 1838. They commenced by burning the house of a man who had gone to Tennessee on business, and left his wife at home with two small children. When the house was burnt down, the wife sought refuge with her children in the hay-mow, and had to walk three miles before she could find a shelter. She carried her two children all that distance, and had to wade Grand river, which was at that time about three feet deep. The mob on the same evening, burnt seven other houses and destroyed all the Mormon property that came in their way. The next morning, Colonel Lyman Wight, an officer of the militia, and a member of the Mormon society, inquired of General Parks what was to be done, as he now saw the course the mob was determined to pursue. General Parks replied, that he (Wight) should take a company of men, and, if necessary, give the mob battle, and that he would be responsible for the consequences; saying, they would have no peace with the mob until they had given them a scourging. On the next morning, in obedience to this order, David W. Patten, a Mormon officer, was despatched with one hundred men under his command, in the direction of the mob, which was advancing from Carroll county, with orders to protect the citizens from injury, and to collect and bring into "Far West" such of the Mormons as were scattered through that part of the county; and that, if the mob interfered to prevent the execution of his orders, he should fight them. The company under the command of Patten was the same, in part, that had gone from "Far West," by the order of General Donaphon, to protect the citizens of Davis county. As Patten advanced in the direction of the mob, they retreated before him, leaving their cannon on the way, which fell into the hands of Patten and his men. The mob being thus dispersed, Patten returned with his company to Davis county, and in a few days afterwards came back to "Far West." It was now supposed that all difficulties were at an end, and that the Mormons would be suffered to rest in peace. But, contrary to this expectation, on the evening of the 23d of October messengers arrived in "Far West," and informed the Mormons that a body of armed men had made its appearance in the south part of the county; and that they were burning houses, destroying property, and threatening the Mormons with death "unless they left the county the next morning by 10 o'clock, or renounced their religion." About midnight, another messenger came with news of like import. Patten again collected about sixty Mormon men, and proceeded to the scene of the disturbance, to protect, if possible, the lives and property of the Mormons from the threatened destruction. On his arrival in the neighborhood where the first ravages had been committed, he found that the mob had gone to another part of the county, and were continuing to perpetrate acts of plunder and outrage, both against the persons and property of the Mormons. He marched a short distance farther, when he unexpectedly came upon the encampment of the mob. The sentinels of the mob instantly fired upon him, and killed one of his men. They continued their fire until Patten ordered a charge, when, after a few fires, the mob were dispersed and fled in all directions. But poor Patten was killed, and one of his men also fell by his side to rise no more. After this fright and the dispersion of the mob, Patten's company again returned to "Far West," but without their leader. The report of these proceedings created much excitement, and the citizens, through false and exaggerated statements, were made to believe that the Mormons were actually in rebellion against the laws of the country. So cruel and so unprovoked had been

the persecutions against them, and those intrusted with the power of the civil and military authority having failed to exercise either for their protection, the Mormons saw no alternative but that which the law of nature gives—of self-defence; and, so far, on this occasion, they exerted it. About this time, the Governor of the State issued the bloody order to General Clark to raise several thousand men, "*to march them against the Mormons and drive them from the State, or exterminate them.*" Major General Lucas and Brigadier General Wilson collected three or four thousand men, and, with this formidable force, commenced their march against the Mormons, and arrived at "Far West" without molestation, and without seeing an enemy on the way. In their rear marched General Clark with the residue of the army. The Mormons were taken by surprise, not having heard of these immense warlike preparations until the enemy was upon them, and, so far from expecting an armed force acting under the State authority against them, they still had hoped that the Governor would, in pity, send a sufficient force in time to protect their lives and property from the ravages of the mob. When this formidable army first made its appearance upon their borders, the Mormons, intent on peace, sent a white flag several miles in advance of their village to meet them, to ascertain for what purpose so large an armed force was marching against them, and what the Mormons were to expect under such appalling circumstances. They gave us no satisfactory answer, but continued their march, without explanation, upon our peaceful village. Immediately on their arrival at "Far West," a man came from their camp bearing a white flag, and demanded the surrender of three persons from the Mormons, before, as he said, "*they massacred the rest.*" These persons refused to go. As soon as this messenger returned back to the camp with our answer, General Donaphon immediately marched his whole brigade upon our village in battle array. The Mormons of "Far West" thereupon formed their "forlorn hope" in a line of battle, immediately in front of Donaphon's army. Donaphon, now perceiving that blows were to be received as well as given, and that the fight was no longer on one side only, first ordered a halt, and then commenced a hasty retreat. Fortunately, night came on and separated the parties without collision. On the next day, towards evening, the Mormons were officially informed that the Governor had sent this immense force against them, with positive orders "either to exterminate, or to drive them from the State." As soon as the Mormons learned that this order had the sanction of the Governor of the State, and had been officially promulgated, they determined to make no further resistance in defence of their rights as citizens; but to submit themselves to the authorities of the State, however tyrannical and unjust the exercise of such authority might be. The commanders of the Missouri militia before "Far West" now sent a messenger into the town, requesting an interview at their encampment, with five of the principal persons among the Mormons, pledging their honor for their safe return to their brethren and families on the following morning at eight o'clock. This interview, the Mormons supposed, was intended as an overture of peace; and, as a pledge of a safeconduct was given, Lyman Wight, George W. Robinson, Joseph Smith, jr., Parley Pratt, and Sidney Rigdon, started for the camp of the besiegers.

Before they arrived at the camp of the Governor's troops, under this invitation, they were surrounded on all sides by the invading army, and, by an order from General Lucas, placed under a strong guard, and marched in triumph into camp; when they were told that they were "*prisoners of*

war." A court-martial was held that night, without a hearing on the part of the Mormon delegates; and, in the absence of all testimony, these men, who had thus trusted their lives to the *honor* of the Governor's officers, were *condemned to be shot* next morning. The execution of this bloody sentence was only prevented by the manly protest of General Donaphon. He denounced the act as cold-blooded murder; and immediately withdrew his brigade from the scene where this horrible outrage was to be perpetrated. This noble stand taken by General Donaphon arrested the murder of the prisoners. It is here worthy of remark, (and we repeat it more in sorrow than in anger,) that *seventeen preachers of the gospel* were on this court martial; and, horrible to relate, *were in favor of this merciless sentence*. The next morning the prisoners were marched, under a strong guard, to Independence, the seat of justice of Jackson county, where they were detained for a week or two, and then marched to Richmond, where General Clark was encamped with his troops. Here a court of examination was held before Judge King, which continued from the 11th to 28th of November; during which time these five prisoners were *confined in chains*, with about fifty other Mormon prisoners taken at "Far West," and were penned up in an open unfinished court-house. In this mock court of inquiry the prisoners were deprived of all testimony, by an armed force stationed at the court-house; they being advised by their attorneys not to attempt to bring any persons as witnesses in their behalf, as they would certainly be in danger of either losing their lives, or of being immediately driven from the county. The proceeding was, of course, *ex parte*, and no witnesses examined, except those against the prisoners; consisting of individuals much prejudiced against the Mormons. During this investigation, a great many questions were asked relative to our religious opinions. The conclusion of the examining court was, to commit the prisoners once more to jail, on a charge of treason against the State. They do not deem it necessary to detail their sufferings while in prison. The horrors of a gloomy dungeon for four long months, shut up in darkness, exposed to the want of every comfort, and, for much of the time, to the damp and chilling cold of winter, can better be imagined than described. In the following April the prisoners were brought out from their prison, and ordered to the county of Davis, for trial. They were formally indicted for treason, and a change of venue awarded to Boon county. The prisoners were accordingly sent, under an armed escort, to the county of Boon, and, while on their way, suffered to escape; when they fled for safety to the State of Illinois. That they were purposely suffered to escape, cannot be questioned. The truth is, that many of their persecutors, of whom the Governor was most conspicuous at this time, had become ashamed of their conduct against the Mormons, and resorted to this subterfuge as the best means of getting out of the scrape, by giving the prisoners this opportunity to escape. Is not this fact evidence of the innocence of the Mormons, and of the guilt of their accusers and persecutors?

But, to return to the military operations of General Lucas before the town of "Far West:" we need only say, that the exterminating order of Governor Boggs was carried into full effect. Immediately after the abovenamed individuals were taken and treated as prisoners of war, all the Mormons in "Far West," above five hundred in number, surrendered up their arms to the invaders without further resistance. The Mormons now fled in all directions; women and children marked their footsteps on the frozen ground with blood, (it being dead of winter,) as they fled from the State of Missouri, and from the

merciless hands of their pursuers. The order of the Governor admitted of no discretion ; and all were driven from the State who were not destroyed. Fifteen thousand souls, between the time of the sacking of "Far West" and the following spring, abandoned their homes and property, and fled in terror from the country. The Mormons, being thus broken up and ruined, in want of every necessary of life, and with broken and bleeding hearts, sought refuge in the State of Illinois, where most of them now reside. Your memorialists will not trespass further upon your time, by the relation of individual cases of suffering and distress. They would fill volumes ; and many of the pages would be stained with the blood of innocent women and children. But what shall they say of the conduct of many of the Missouri militia ? Alas ! what can be said in extenuation, when Humanity would shudder and hide herself in shame, if one half only of the house-burnings, destruction of property, robbery, rapes, and murders, should be told. One instance, only, will they mention, of the many trying scenes of blood and rapine that were then and there transacted. Two hundred of the Governor's militia came suddenly on some Mormon families emigrating to the State of Missouri, who had not yet reached the body of the society, and were encamped at Haun's mill, in Caldwell county. The Mormons took refuge in an old log-house which had been used as a blacksmith shop. On seeing the militia approach, they cried for quarter ; but in vain. They were instantly fired upon, when eighteen of their number fell dead upon the spot. Their murderers then advanced, and putting the muzzles of their guns between the logs, fired indiscriminately upon men and children, the living, the dying, and the dead. One little boy, whose father (Warren Smith) had just been killed, cried piteously to the militia to spare his life. The reply was, "kill him," "kill him," (with an oath,) "*he is the son of a damned Mormon.*" He was accordingly shot in the head, and fell dead by the side of his father. Just before this little boy was shot, an old man by the name of McBride, a soldier of the Revolution, hearing his cries for mercy, came up and begged them to spare his life ; but, instead of listening to his entreaties, they hewed him to pieces with an old scythe. They then loaded themselves with plunder, and departed from this appalling scene of blood and carnage.

Your memorialists have thus, in discharge of the duty confided to them by their brethren, given a brief outline of the history of their wrongs and persecutions in Missouri ; all of which they can prove, and aver to be true. The Mormons have not provoked these outrages. They have not, either as a body or as individuals, knowingly, violated the laws of Missouri or of the United States. Their only offence consists in a difference of religious sentiment ; and that they have sometimes, but rarely, resorted to the laws of self-defence. The above statements will show that the Mormons have, on all occasions, submitted to the law of the land, and yielded obedience to its authority in every instance, and often at the hazard of both life and property. Whenever they have offered resistance to the mob, it was only in self defence ; and not even then, without the authority and sanction of the officers of the law. And what are the wrongs of which they complain ? The Mormons, numbering fifteen thousand souls, have been driven from their homes in Missouri ; property to the amount of two millions of dollars has been taken from them or destroyed ; some of their brethren have been murdered, some wounded, and others beaten with stripes ; the chastity of their wives and daughters inhumanly violated ; all driven forth as wanderers ; and many, very many, broken-hearted and penniless. The loss of



property they do not so much deplore, as the mental and bodily sufferings to which they have been subjected ; and, thus far, without redress. They are human beings, possessed of human feelings and human sympathies. Their agony of soul for their suffering women and children was the bitterest drop in the cup of their sorrows.

For these wrongs and sufferings, the Mormons, as American citizens, ask, *Is there no redress ?* If so, how and where shall they seek and obtain it ? The constitution you are sworn to support alike guaranties to every citizen, the humblest in society, the enjoyment of life, liberty, and property. It promises to all religious freedom ; the right to all of worshipping Almighty God, beneath their own vine and figtree, according to the dictates of their own consciences. It guaranties alike to all the citizens of the several States the right to become citizens of any one of the States, and to enjoy, upon their removal, all the rights and immunities of the citizens of the State of their adoption. Yet, all these rights and immunities the Mormons have been deprived of. They have, without just cause, without the form of trial, been deprived of life, liberty, and property. They have been persecuted from place to place for their religious opinions ; they have been driven from the State of Missouri at the point of the bayonet, and treated worse than a foreign enemy ; they have been beaten with stripes as slaves, and threatened with destruction if they should ever venture to return. Those who should have protected them, have become their most relentless persecutors. And what are the Mormons to do ? It is the theory of our constitution and laws, that, for the violation of every legal right, there is provided a legal remedy. What, then, we would respectfully ask, is the remedy for these violations of right in the persons and property of the Mormons ? Shall they apply to the Legislature of the State of Missouri for redress ? They have done so. They have petitioned ; and their petitions have been treated with silence and contempt. Shall they apply to the Federal courts in Missouri ? They are not permitted to go there ; and their juries would be made up of citizens of that State, with all their prejudices against them. But, if they could apply to the courts of Missouri, whom shall they sue ? The final order for their expulsion and extermination, it is true, was issued by the Executive of the State. But is he amenable ? and, if so, is he not wholly irresponsible, so far as indemnity is concerned ? Will not the great mass of our persecutors justify themselves under that order ? For ourselves, we see no redress, unless it be awarded by the Congress of the United States. And here we make our appeal, as *American citizens*, as *Christians*, and as *men*, believing that the high sense of justice which exists in your honorable bodies will not allow such oppression to be practised upon any portion of the citizens of this vast republic with impunity ; but that some measures which your wisdom may dictate may be taken, so that the great body of people who have been thus abused may have redress for the wrongs which they have suffered. And to your decision they look with confidence ; hoping it may be such as shall tend to dry up the tear of the widow and orphan, and again place in situations of peace those who have been driven from their homes, and have had to wade through scenes of sorrow and distress.

And your memorialists, as in duty bound, will ever pray, &c., &c.

ELIAS HIGBEE,  
ROBT. B. THOMPSON.

NAUVOO, HANCOCK COUNTY, ILLINOIS,  
November 28, 1840.

